

## Message Text

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PAGE 01 STATE 085104  
ORIGIN EB-08

INFO OCT-01 ISO-00 EUR-12 SS-15 SP-02 INR-10 L-03  
/051 R

DRAFTED BY EB/TRA/MA:SPILLA:EW  
APPROVED BY EB/TRA/MA:CTAYLOR, JR.  
EUR/RPE:KSTOCKER  
EUR/SOV:JTREICHEL

-----088189 032002Z /43

P 031913Z APR 78  
FM SECSTATE WASHDC  
TO AMEMBASSY BRUSSELS PRIORITY

C O N F I D E N T I A L STATE 085104

STADIS/////////////////////////////////  
USEEC

E.O. 11652: GDS

TAGS: ETRN, EWWT, EEC

SUBJECT: DEPARTMENT COMMENT ON EC COMMISSION DRAFT PROPOSAL  
FOR A COUNCIL DECISION CONCERNING STATE TRADING COMPANIES'  
SHIPPING AND THE COMMUNITY

REF: BRUSSELS 3815

1. FOLLOWING COMMENTS SHOULD NOT BE CHARACTERIZED AS  
USG VIEWS, BUT RATHER ONLY AS PRELIMINARY REACTION OF  
DEPARTMENT (EB/TRA/MA): BY AND LARGE THE COMMISSION  
PROPOSAL CONTAINS MEASURED AND APPROPRIATE RESPONSES  
THAT APPEAR TO REFLECT THE CONSIDERED JUDGMENT AND  
EXPERIENCE WITH THE CONTROLLED-CARRIER PHENOMENON  
GAINED DURING THE LAST SEVERAL YEARS.

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2. THE ONLY POSSIBLE DIFFICULTY FROM THE US POINT OF VIEW  
THAT THE DEPARTMENT OF STATE COULD INITIALLY FORESEE  
CONCERNS THE FOURTH GUIDELINE (PARA 4 REFTL) OF ARTICLE  
6 REGARDING SITUATIONS WHERE STATE-CONTROLLED OPERATORS  
ARE THE ONLY NON-CONFERENCE OPERATORS IN THE TRADE. THE  
RATE-SETTING GUIDELINE SPECIFIED FOR SUCH CASES IN THE  
COMMISSION'S DRAFT PROPOSAL (E.G., CONTROLLED CARRIERS

QUOTE SHOULD SET THEIR TARIFF IN CONSULTATION WITH  
SHIPPERS' REPRESENTATIVES AND THE LINER CONFERENCES

CONCERNED UNQUOTE) WOULD ON THE FACE OF IT SEEM TO BE  
UNNECESSARILY ANTI-COMPETITIVE AND IN U.S. TRADES WOULD  
PROBABLY CONFLICT WITH U.S. ANTITRUST STATUTES. DESPITE  
THIS MINOR PRELIMINARY RESERVATION, REACTION OF THE  
DEPARTMENT TOWARD THE COMMISSION'S DRAFT PROPOSAL CON-  
CERNING STATE-CONTROLLED CARRIERS IN EC OCEAN TRADES IS  
GENERALLY POSITIVE. CHRISTOPHER

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NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, STATE TRADING COMPANIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 03 apr 1978  
**Decaption Date:** 20 Mar 2014  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE085104  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** SPILLA:EW  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780144-0006  
**Format:** TEL  
**From:** STATE  
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**Legacy Key:** link1978/newtext/t19780498/aaaadfuv.tel  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 52ce09b7-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EB  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** ONLY, STADIS  
**Original Previous Classification:** n/a  
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**Page Count:** 2  
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**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** ONLY, STADIS  
**Reference:** 78 BRUSSELS 3815  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 18 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3090954  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** DEPARTMENT COMMENT ON EC COMMISSION DRAFT PROPOSAL FOR A COUNCIL DECISION CONCERNING STATE TRADING COMPANIES' SHIPPING AND THE COMMUNITY  
**TAGS:** ETRN, EWWT, EEC  
**To:** BRUSSELS USEEC  
**Type:** TE  
**vdkgvkey:** odbc://SAS/SAS.dbo.SAS\_Docs/52ce09b7-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
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**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014